'I want to find my children'

Ex-Army spook who fingered Oswald claims Uncle Sam hides his family / by Thomas C. Lucey

UNCLE SAM has given Richard Case Nagell three Purple Hearts — one earned on Christmas Day — and a medal for heroism in combat.

But what this ex-Army counterspy and alleged CIA undercoverman wants is that Uncle keep a promise to locate his wife and two small children.

The 38-year-old former officer hasn't seen them since 1963.

Officials inside the Federal Government — most likely FBI and CIA agents — know where they are and deliberately isolated him from his family, the tall, lean chain-smoker claims.

Nagell became separated from his Japanese-born wife Mitsuko Takahashi and their children, Teresa, now 9, and Robert, now 8, when he was arrested for robbing an El Paso, Tex., bank in September 1963.

He staged the robbery and immediately surrendered to the police, Nagell claims, because he had refused to kill Kennedy-assassin Lee Harvey Oswald and was afraid he would be killed himself.

The ex-Army captain was convicted of the crime and sent to Leavenworth, but Mrs. Nagell was never told where he was.

Since then Nagell has been written about in national American magazines and has worked his way inside a political prison in Communist East Germany for the CIA.

Two major magazines intimated that Nagell had been insane.

New Orleans district attorney Jim Garrison allegedly interviewed Nagell three times in his controversial probe of what he called the plot to kill Kennedy.

However, despite all the publicity about Nagell, no public mention has been made of his charges that:

▶ FBI special agents who questioned Mrs. Nagell about her husband while he was in prison said they didn't know where he was;

▶ The CIA used the promise of reuniting Nagell with his family as part of the incentive for him to undertake a one-man CIA assignment inside East Germany.

Nagell came to Europe in February 1969 on a hunch that the path to his family started in West Berlin. In Zurich he was almost killed, he says. In Barcelona, he was watched. And in West Berlin he was attacked in a side-street bar by two strangers — one of whom had been following him for two days — and hit on the top of his head so hard a molar cracked in half.

Fearing that the next attacker might murder him and reassured that the Government would finally keep its promise this time, Nagell flew home to the United States.

Now he's back where he started in 1963 — when he tipped off the FBI that Oswald was planning to assassinate President Kennedy.

Working through a source with access to documents on the Nagell case, **The FAMILY** has been able to reconstruct this incredible story of the spy who couldn't come in from the cold.

Richard Nagell: a self-deluded crank or

RICHARD CASE Nagell first went to work for the CIA as an informant in August 1962.

"Some publications have identified him as a CIA agent," the **FAMILY** source said. "But Nagell never claimed to be a CIA agent. For the year that he worked off and on for the CIA the first time, he was never told what he was. But it was in the capacity of an investigator or informant."

Nagell had a good background for investigative and undercover assignments.

In the Army, he was a CIC captain who worked in field offices in the United States and with the then super hush-hush Field Operations Intelligence in Japan and Korea.

He had made captain with a battlefield commission during the Korean War at the age of 22 — possibly the youngest man to earn that distinction. Nagell served two volunteer combat tours as an infantryman in Korea, signing up for the second as soon as he returned to the States from the first. It was in Korea that he won the Bronze Star and three Purple Hearts.

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During a subsequent tour in the Far East with the CIC and FOI, Nagell met and married his Japanese wife in the spring of 1959. Being married to a foreign national meant an automatic removal from intelligence work so Nagell decided to leave the Army.

For two years he was a California state special investigator, working on fraud cases and liquor violations.

In the summer of 1962 he left that job to work for the CIA.

His last assignment was to penetrate the Fair Play for Cuba Committee, where he met Oswald. Nagell also briefly investigated Oswald's Russian-born wife Marisa.

Nagell considered Oswald intelligent, "but some right-wingers were using him by feeding his ego. They made him think he was a big man, important. Oswald himself was definitely a left-winger, leaning toward Mao or maybe even Castro. He wasn't pro Moscow. He hated the Russians.

"And when Oswald said he was going to do something, you knew he meant it."

In September Oswald told Nagell, "We will kill him before the month is out."

The "we," according to Nagell, were Oswald and two Latins — possibly Cubans — who belonged to anti-Castro organizations in the United States. "Him" was President Kennedy.

Nagell reported the threat to a man known only as Bob, his CIA contact. According to **The FAMILY's** source, "Nagell's instructions were to take care of Oswald. He told him he was an intelligence man, not a killer, and he couldn't kill Oswald.

"Threats were made to Nagell which indicated to him that he had better do what he had been instructed to do.

"Instead, he wrote about Oswald's assassination plans to FBI director J. Edgar Hoover in Washington. Hoover didn't reply, but Nagell didn't expect him to. He wanted that letter as a matter of record.

"After Nagell's tip, the FBI questioned Oswald and released him as not being a danger or a threat."

Two months later Nagell heard the assassination news bulletin on the radio. "The FBI screwed up!" he explained. "That was Oswald!" This was before there was any public mention of Oswald.

"After the assassination the FBI tried to clean their skirts," **The FAMILY** was told. "FBI agents insisted to Nagell that he hadn't told them this about Oswald or that about Oswald. But he had."

By this time Nagell was in Leavenworth penitentiary.

On Sept. 20, 1963, six days before what Nagell thought was to be the assassination date, he went into an El Paso bank, shot one bullet into the ceiling and waited outside to be arrested. He expected to be held briefly for discharging a firearm on Federally insured property. By that time the assassination would be over and he'd be safe.

Apparently Nagell felt police custody would keep him safe from the CIA and from the assassins. He feared the CIA because he didn't "take care of" Oswald. He feared the assassins because he might be considered one of them.

But the police held Nagell longer than six days.

He was tried twice, in May 1964 and September 1966, for attempted robbery with force and violence and sentenced to the maximum of 10 years.

"I was bum-rapped," Nagell complained.

"The court instructed that any attorneys retained by his relatives would have to come under the supervision and control of court-appointed attorneys," **The FAMILY's** source said. "In effect, this denied him counsel of his choice all during prison."

As prisoner A-83286-L, Nagell was allowed to write to only his sister and a friend. He couldn't get an explanation why he wasn't allowed mail from or to his wife and children. "They don't explain to you in Leavenworth penitentiary," the source smiled. "All you have to do is be there."

The source continued:

"In 1966 Nagell's sister wrote that she had had a letter from his wife. She wanted to know where her husband was and why hadn't she heard from him.

"Here is the sticky part. In Mrs. Nagell's letter she said the FBI had questioned her a few days before about her husband's activities in the Army. The FBI knew where Nagell was but didn't tell his wife."

The letter had been sent from a Hollywood post office box and Nagell tried unsuccessfully to trace it after he got out of Leavenworth.

On April 29, 1968, after 4½ years in prison, Nagell was released after he had won an acquittal on appeal and flew to New York.

"We pulled a lot of strings to get your freedom," said a man who met Nagell when he landed at Kennedy Airport. The man and his nontalking partner gave Nagell $500 in $20 bills. "More will come where this comes from," the unidentified man promised. "We appreciate your cooperation in prison."

"To this day," the source told **The FAMILY**, "Nagell

Richard Nagell

Jim Garrison

Oswald and guards

CAST OF CHARACTERS: Richard Nagell was questioned by New Orleans D.A. Jim Garrison because Nagell claims he fingered Kennedy assassin Lee Harvey Oswald while working for the CIA. Nagell also says U.S. Government officials isolated him from his two children after the assassination.

Nagell's children

still has not got the money promised him for his imprisonment in the United States."

In New York Nagell kept an appointment with a CIA official he knew only as Buehel. The CIA official told Nagell he had heard that his wife had divorced him while he was in Leavenworth.

"It might be true," the source

the victim of dagger-in-the-back CIA tactics?

noted. "but wouldn't it be nice for Nagell to know for sure. He assumes his children are still with his wife."

Nagell met Buehel to be briefed for another CIA assignment.

Why did he go back to the CIA?

"It was the only practical thing for him to do," the source said, "because of his financial situation."

Almost a month to the day after he arrived in New York Nagell jetted to Zurich.

"During his last week of discussions with Buehel and another man in New York," **The FAMILY's** source said, "it was Nagell's understanding that he was to have himself arrested by East German authorities. All he had to do was buy a train ticket from Zurich, Switzerland, to East Berlin. The train would go through East Germany and he would be arrested.

"The main objective of his imprisonment was twofold. One concerned a U.S. naval officer who had allegedly defected and Nagell had to find out if he was there. But his main purpose was to get as much information as possible on techniques of interrogation and methods of treatment of the MfS (East German Ministry for State Security)."

Everything went according to the CIA's plan — up to a point.

In Zurich, Nagell reported to his CIA contact in the American Consulate General. About the only thing the CIA agent seems to have said to Nagell was to ask him the train compartment number on his reservation. Nagell told him, No. 46.

Early in the morning of June 10, 1968, around 12:30 a.m. to 1:30 a.m., Nagell's train stopped after crossing the East German border.

"He could hear people get on the train and clomp down the aisle, directly to his compartment," the source said.

"There were two men in uniform and two men in civilian clothes. They asked Nagell for his passport by name. Then they asked for his transit visa. He didn't know what they were talking about. So they took him off the train because he didn't have a valid transit visa.

"They drove to Erfurt (an East German city), where Nagell was held for three days in a safe house (a private home used as a cover for intelligence purposes). There some men in civilian clothes questioned Nagell.

"Next he was driven to an East Berlin political prison for extensive interrogation. They accused him of espionage and said they were going to try him.

"Nagell had been told that if he was in East Germany for over three months, his release would be effected by the agency (CIA), but he was not told how. On his own he started to play crazy because he was there over four and a half months and he began to think there was another reason for his being there. He felt the CIA had deserted him and that, quite frankly, he had been sent to Germany to get him out of sight or to get rid of him.

"He was released on October 23. He didn't know he was going to be released until he was taken out of prison and driven to a Berlin checkpoint identified to him as 'Sandkrugbruecke.'"

Waiting to meet Nagell were, according to the source:

- Andor Klay, head of the Eastern Affairs Section of the U.S. Mission in Berlin;
- Wolfgang Vogel, a well-known East Berlin lawyer who participated on the Feb. 10, 1962, exchange of Soviet master spy Col. Rudolf Abel and American U2 pilot Francis Gary Powers and other spies and accused spies;
- Ricey S. New, a wealthy Washington lawyer, supposedly "a representative — not a member — of the CIA";
- Bruce A. Flatin, head of the U.S. Berlin Mission's public safety section, allegedly "a longtime CIA member and Flatin is not his real name";
- Dr. (Capt. — now Maj.) George Raymond Babineau, a psychiatrist at the U.S. Army hospital in Berlin, who appeared in civilian clothes, and
- An unidentified man.

Nagell was driven to the U.S. Mission at 170 Clay Allee and interviewed by Babineau. "That was probably because Nagell had played crazy with the East Germans," the source said.

Washington lawyer New was also present.

"Somebody brought Nagell a cup of coffee," the source continued. "Nobody else had coffee. Nagell drank a small portion of his coffee. It was black but it tasted more bitter than ordinary coffee. Approximately five minutes later he began feeling sleepy and thought he was under the influence of a drug. He went to the bathroom and looked at his eyes in a mirror. They were almost pinpoints and he was feeling exceedingly sleepy.

"Back in the room he asked, 'Did anybody put something in my coffee?'

"Dr. Babineau said no; New said nothing. Nagell began to feel so sleepy he had to occasionally stand up to stay awake. Finally he asked to be examined by a civilian psychiatrist if there was any question of his sanity.

"'No,' the doctor said, 'as far as I'm concerned you're free to go.'

"New spoke to the doctor in a corner — the doctor kept shaking his head no — and then New told Nagell, 'I think you ought to leave for the United States. The German newspapers are going to pick this thing up any moment and might want to talk to you. I don't think you should talk to them.'

"Nagell said he wanted to go back to Zurich first to pick up his belongings — to be exact, certain documents in a safe deposit box. Nagell keeps records, plenty of them."

When Nagell was driven to Tempelhof Airport, New accompanied him and waited until he boarded the plane. Some time during their talk New asked Nagell about his disability. Nagell was getting a 60 percent disability for service-

(Continued on Next Page)

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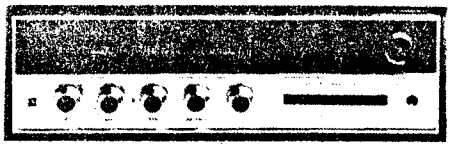

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The Nagell Affair . . .

'You must get out of Berlin!'

(Continued From Page 13)

connected injuries -- and New promised him help in getting a disability retirement.

"But," the source added, New also told Nagell: "'Of course, this (offer of help in getting a disability retirement) is predicated on your staying away from the news media.'"

On the afternoon flight to Stuttgart Nagell fell asleep, convincing him that he had been given a drug or a barbiturate.

Because of fog he didn't get to Zurich until 4 a.m. and "he was feeling extremely sick," the source said. "He rested for a few hours and went to the U.S. Consulate General. New had told him to stay away from the consulate in Zurich because 'they will question you and send it to Washington.' Nagell couldn't understand New's reasoning, but he went to the consulate to get a doctor, not to tell them about Berlin. He was drastically sick and wanted a doctor. He thought he was dying."

Referred to a civilian doctor, Nagell was told "he had been given an overdose of Seconal, a most potent sleeping drug."

Nagell was sick for about six days.

Meanwhile, he was also waiting to hear from New, who had promised to phone him in two or three days. Nagell had told him he wanted the search for his family to be agreed upon before he returned to the States.

Twice Nagell called New's room at the Berlin Hilton. First New was "unavailable," then he had checked out for the U.S. (Later, back in Washington, New allegedly explained it had been "unadvisable" to go to Zurich because the East Germans might have tapped his phone and he didn't want them to know Nagell was there. Nagell didn't buy that.)

With New not showing up to discuss the search for his family, Nagell violated his instructions and went to the consulate for help.

On his first visit Nagell found "they had a classified file on him and knew he had been in East Berlin," the source continued. "But he refused to answer questions about his imprisonment and told them about New's promise.

"The next time, he told the consulate he was angry that he had not heard from New and that if he didn't get help he was going to the news media. This is when he was offered State Department help in locating his family -- predicated on his early return to the United States. Nagell agreed and flew back to New York."

In New York, Nagell waited about two or three weeks to hear from the State Dept. When he didn't he contacted a State Dept. agency in New York and was allegedly told that a letter would be sent to Washington.

"That was the last time Nagell heard from them," the source said. "He never received a copy of the letter to Washington, as promised, and they were always unavailable when he called."

Meanwhile, Nagell was seeing New in Washington and called in person at the State Dept.

"They told him that the State Department didn't have the facilities to search for the children," the source said, "but on account of the circumstances surrounding the case and 'because one of our employes apparently made a promise in Zurich,' they would conduct a search for his children and determine whether he was married or divorced.

"He never heard from them again. When he called they were quote unavailable unquote."

Through a lawyer in New's office, described as a luxurious suite visited by Pentagon officers in civilian clothes, Nagell got an appointment at the VA for "a-two and a-half minute physical with his clothes on," according to the source. "Two hours later he was awarded a 100 percent disability allowance for a nervous condition.

"Nagell went back to New and told him they wanted to tag him (Nagell) with a nervous condition to destroy his credibility."

For good reason, Nagell worried that a nervous condition might be used to tag him as a nut who didn't know what he was talking about.

In July 1968, while Nagell was in the Communist prison, Edward Jay Epstein, author of a book on the Warren Commission, wrote an article in the New Yorker magazine attacking New Orleans District Attorney Jim Garrison's investigation of the Kennedy assassination.

Epstein described Nagell as "another witness found in the mail (of crank letters, publicity seekers and bogus tips) . . . an inmate of a Federal institution for the criminally insane in Springfield, Miss. . . . court records indicated that Nagell had suffered brain damage in an airplane crash in 1957."

Nagell's rebuttal:

- He was sent to the U.S. Medical Center for Federal Prisoners in Springfield to determine whether he could stand trial and when he was up for parole;
- On each occasion he was found mentally competent;
- In 1954 (not in 1957) he was the only survivor of a B52 crash at Baltimore's Friendship Airport (not in Cambodia, as reported in Ramparts magazine by former FBI agent William W. Turner);
- After hospitalization he returned to Army Intelligence School, received a top secret clearance and was assigned to the CIC;
- A June 17, 1966, psychiatric report from the Springfield Medical Center stated there was no "evidence or finding suggestible of brain damage."

All this runaround in Washington convinced Nagell that no one in the States was going to help him find his family. He decided to return to Europe.

In Zurich someone tried to kill him

On Feb. 21 of this year he flew from Mexico City to Zurich. But the vice-consul who had promised State Dept. help last fall was no longer there. Nagell asked for the man he claimed to be the CIA station chief. He, too, was gone.

Sent to the consulate's political section, Nagell told them of the promises he'd been given and threatened to go to Swiss newspapers about a CIA agent in Bern, the Swiss capital.

"A member of the consulate asked Nagell to give them two weeks and telexed Washington," the source said. "But then one night there was an attempt on Nagell's life and he left for Barcelona the next day.

"There he contacted the U.S. Consulate General and told them why he had left Zurich and asked that Zurich's reply from Washington be sent to Barcelona.

"Nagell was in Barcelona for two weeks. But then he realized he was being watched and left to see an ex-Army intelligence officer at the American Embassy in Madrid.

"Again he stayed for two weeks. The embassy gave him no satisfaction, not even telling him what Washington had said. So he decided to go back to Berlin where this thing started and made some promises to himself -- one of them being that if he didn't find his children he would go to the news media."

He was referred to Andor Klay and Bruce Flatin, two of the men who had met Nagell when he came from East Berlin, and eventually to a Kenneth Hill in the passport section.

"A week or two later," the source continued, "they finally got confirmation from Washington that they had been unable to locate Nagell's children so far but were continuing their efforts.

"So he finally agreed to go back to the States as long as the State Department was continuing their efforts."

Pointing out that he had spent a great deal of his money "running around," Nagell asked for Government transportation home and was refused.

On April 19 or 20 Nagell realized he was under surveillance.

"Around 10:30 on the night of April 22, Nagell was walking down Kurfuerstendamm when he lost his tail," the source continued. "They just disappeared. He didn't try to lose them.

"Nagell then went down a side street and into a small restaurant with a bar.

"He ordered a beer and was standing at the bar, talking to a guy on his right, when he saw the door open and two men came directly toward him.

"Nagell was getting ready to tell the men he didn't speak German when he saw one pick something out of his pocket and swing at him. Nagell turned and was hit on the back of the head."

Police took Nagell to the Albrecht Achilles Hospital. When he told the Germans he thought he had been hit by the CIA, "they called an American from the CID, a British representative (apparently the side street was in the British Sector) and a member of the Berlin political police."

Around midnight Nagell went to the U.S. Mission and asked for Hill in the passport section. Instead, he got the Army staff duty officer and a CIC agent.

"He gave his bloody shirt and T-shirt in a bag to the CIC agent," the source said, "and told him to give it to Hill.

"'If something happens to me,' he told the agent, 'the responsibility is going to be pinned because I'm going to the papers.'

"Back in his hotel, Nagell was worried that he was going to be killed."

In the morning he went to the Army hospital and then to Hill in the consulate.

"Hill had the bloody clothing. 'You must get out of Berlin,' he told Nagell. 'We cannot give you protection here. The German police think it's either mistaken identity or the MfS.'

"'Last night I thought somebody wanted to kill me,' Nagell replied. 'Now I take it as (only) a warning.'"

(Later, Hill told **The FAMILY** he considered Nagell merely "a private American citizen traveling abroad." He added: "Ninety-nine and a half percent of his story is fantasy." Hill confirmed that he had received Nagell's bloody clothing and that Nagell had come to him with a stitched-up head wound. But he would only say that the attack "is his story, not that I have any other story about it.")

But shortly after that Nagell was placed on orders as an ambulatory patient and sent on the Berlin duty train to Frankfurt. His orders also put him on a military flight back to the States.

That's where he apparently is now.

But he still doesn't know if he's married or divorced and the whereabouts of his children.